

OFFICE OF THE GENERAL COUNSEL  
Division of Operations-Management

MEMORANDUM OM 89- 35

March 14, 1989

TO: All Regional Directors, Officers-in-Charge,  
and Resident Officers

FROM: Joseph E. DeSio, Associate General Counsel

SUBJECT: Use of Certified Mail

One of the concerns raised by the General Counsel's Special Planning Committee is that the Agency is spending money unnecessarily on certified mail to send documents which could be sent by regular mail.

The Rules and Regulations (Section 102.113) name specific documents which are to be sent by certified mail, such as charges, complaints, notices of hearing, final orders, ALJD's and subpoenas. The Agency's Casehandling and Clerical Manuals designate additional documents which are to be sent by certified mail. We feel there are practical reasons for using certified mail for those documents. However, some Regions may also be serving courtesy copies of documents by certified mail. This practice should be curtailed. Thus, for example, if a Region has an automatic notification request on file for a particular union, only the entity that is a party in the case need be served by certified mail; other levels of the union may receive copies by regular mail. Thus, only the entities named in the Rules and Regulations or in the Manuals, or their attorneys if the appropriate appearance form (Form NLRB-4813) is on file, need be served by certified mail. The Regions should also closely monitor the use of certified mail for other documents which may not require proof of service, such as FOIA responses. Regions should be particularly cautious about using certified mail to send out mass mailings, such as letters seeking to have union authorization cards authenticated, unless it is clearly necessary.

We bring this to your attention because we should be sensitive to cost savings wherever possible, particularly in a period of tight budgets.

J. E. D.

cc: NLRBU

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